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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

IN CLERK'S OFFICE  
J.S. DISTRICT COURT  
MAY 12 2006

-----X  
CRAIG BROWN, also known as  
DEMETRIUS BROWN, pro se,  
  
Plaintiff,  
  
-against-  
  
ELIOT SPITZER,  
  
Defendant.  
-----X

P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

**ORDER**  
**DENYING REQUEST**  
**FOR EXTENSION**  
05-CV-1553 (DLI)

**DORA L. IRIZARRY, U.S. District Judge:**

The court is in receipt of petitioner's April 17, 2006 request for an extension of time to perfect his appeal from Kings County Supreme Court's denial of his N.Y. Criminal Procedure Law §440.10 motion.

Petitioner's request is denied as it is not within this court's jurisdiction to grant it. Instead, petitioner should direct his request to the New York State Supreme Court, Appellate Division, Second Department.

DATED: Brooklyn, New York  
May 4, 2006

DLI  
\_\_\_\_\_  
DORA L. IRIZARRY  
United States District Judge